

HOUSE BILL NO. 840

INTRODUCED BY E. HILBERT

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING FOR GENERIC SPECIALTY LICENSE PLATES FOR
5 TRAILERS ~~OVER 2,000 POUNDS GROSS VEHICLE WEIGHT~~; ALLOWING FOR PERMANENT
6 REGISTRATION USING CERTAIN SPECIALTY PLATES; ~~AND~~ AMENDING SECTIONS 61-3-332, 61-3-479,
7 61-3-481, AND 61-3-562, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 61-3-332, MCA, is amended to read:
12 **"61-3-332. Standard license plates.** (1) In addition to special license plates, collegiate license plates,
13 generic specialty license plates, and fleet license plates authorized under this chapter, a separate series of
14 standard license plates must be issued for motor vehicles, quadricycles, travel trailers, trailers, semitrailers, and
15 pole trailers registered in this state or offered for sale by a vehicle dealer licensed in this state. Standard license
16 plates issued to licensed vehicle dealers must be readily distinguishable from license plates issued to vehicles
17 owned by other persons.

18 (2) (a) Except as provided in 61-3-479 and subsections (2)(b), (3)(c), and (3)(d) of this section, all
19 standard license plates for motor vehicles, trailers, semitrailers, or pole trailers must be issued for a minimum
20 period of 4 years, bear a distinctive marking, as determined by the department, and be furnished by the
21 department. In years when standard license plates are not issued, the department shall provide a registration
22 decal that must be affixed to the rear license plate of the vehicle.

23 (b) For light vehicles that are permanently registered as provided in 61-3-562 and motor vehicles
24 described in 61-3-303(9) that are permanently registered, the department shall provide a distinctive registration
25 decal indicating that the motor vehicle is permanently registered. The registration decal must be affixed to the rear
26 license plate of the permanently registered motor vehicle.

27 (3) (a) Subject to the provisions of this section, the department shall create a new design for standard
28 license plates as provided in this section, and it shall manufacture the newly designed standard license plates
29 for issuance after December 31, 2005, to replace at renewal, as required in 61-3-312, standard license plates
30 that were displayed on motor vehicles before that date.

1 (b) Beginning January 1, 2006, the department shall manufacture and issue new standard license plates
2 after the existing plates have been used for a minimum period of 4 years.

3 (c) A motor vehicle that is registered for a 13-month to a 24-month period, as provided in 61-3-311 and
4 61-3-321(2), may display the license plate and plate design in effect at the time of registration for the entire
5 registration period.

6 (d) A light vehicle described in subsection (2)(b) or a motor home that is permanently registered may
7 display the license plate and plate design in effect at the time of registration for the entire period that the light
8 vehicle or motor home is permanently registered.

9 (4) For ~~passenger TRAILERS AND motor vehicles, and trucks, and trailers over 2,000 pounds gross vehicle~~
10 ~~weight~~ OTHER THAN MOTORCYCLES AND QUADRICYCLES, plates must be of metal 6 inches wide and 12 inches in
11 length. Except for generic specialty license plates, the outline of the state of Montana must be used as a
12 distinctive border on all license plates, and the word "Montana" must be placed on each license plate. All license
13 plates must be treated with a reflectorized background material according to specifications prescribed by the
14 department.

15 (5) The distinctive registration numbers for standard license plates must begin with a number one or with
16 a letter-number combination, such as "A 1" or "AA 1", or any other similar combination of letters and numbers.
17 Except for special license plates, collegiate license plates, generic specialty license plates, and fleet license
18 plates, the distinctive registration number or letter-number combination assigned to the motor vehicle must appear
19 on the plate preceded by the number of the county and appearing in horizontal order on the same horizontal
20 baseline. The county number must be separated from the distinctive registration number by a separation mark
21 unless a letter-number combination is used. The dimensions of the numerals and letters must be determined by
22 the department, and all county and registration numbers must be of equal height.

23 (6) For the use of exempt motor vehicles, trailers, semitrailers, or pole trailers and motor vehicles,
24 trailers, semitrailers, or pole trailers that are exempt from the registration fee as provided in 61-3-321, in addition
25 to the markings provided in this section, standard license plates must bear the following distinctive markings:

26 (a) For motor vehicles, trailers, semitrailers, or pole trailers owned by the state, the department may
27 designate the prefix number for the various state departments. All numbered plates issued to state departments
28 must bear the words "State Owned", and a year number may not be indicated on the plates because these
29 numbered plates are of a permanent nature and will be replaced by the department only when the physical
30 condition of numbered plates requires it.

1 (b) For motor vehicles, trailers, semitrailers, or pole trailers that are owned by the counties,
2 municipalities, and special districts, as defined in 18-8-202, organized under the laws of Montana and not
3 operating for profit, and that are used and operated by officials and employees in the line of duty and for motor
4 vehicles on loan from the United States government or the state of Montana to, or owned by, the civil air patrol
5 and used and operated by officials and employees in the line of duty, there must be placed on the standard
6 license plates assigned, in a position that the department may designate, the letter "X" or the word "EXEMPT".
7 Distinctive registration numbers for plates assigned to motor vehicles, trailers, semitrailers, or pole trailers of each
8 of the counties in the state and those of the municipalities and special districts that obtain plates within each
9 county must begin with number one and be numbered consecutively. Because these standard license plates are
10 of a permanent nature, they are subject to replacement by the department only when the physical condition of
11 the license plates requires it and a year number may not be displayed on the plates.

12 (7) For the purpose of this chapter, the several counties of the state are assigned numbers as follows:
13 Silver Bow, 1; Cascade, 2; Yellowstone, 3; Missoula, 4; Lewis and Clark, 5; Gallatin, 6; Flathead, 7; Fergus, 8;
14 Powder River, 9; Carbon, 10; Phillips, 11; Hill, 12; Ravalli, 13; Custer, 14; Lake, 15; Dawson, 16; Roosevelt, 17;
15 Beaverhead, 18; Chouteau, 19; Valley, 20; Toole, 21; Big Horn, 22; Musselshell, 23; Blaine, 24; Madison, 25;
16 Pondera, 26; Richland, 27; Powell, 28; Rosebud, 29; Deer Lodge, 30; Teton, 31; Stillwater, 32; Treasure, 33;
17 Sheridan, 34; Sanders, 35; Judith Basin, 36; Daniels, 37; Glacier, 38; Fallon, 39; Sweet Grass, 40; McCone, 41;
18 Carter, 42; Broadwater, 43; Wheatland, 44; Prairie, 45; Granite, 46; Meagher, 47; Liberty, 48; Park, 49; Garfield,
19 50; Jefferson, 51; Wibaux, 52; Golden Valley, 53; Mineral, 54; Petroleum, 55; Lincoln, 56. Any new counties must
20 be assigned numbers by the department as they are formed, beginning with the number 57.

21 (8) Each type of special license plate approved by the legislature, except collegiate license plates
22 authorized in 61-3-463 and generic specialty license plates authorized in 61-3-472 through 61-3-481, must be
23 a separate series of plates, numbered as provided in subsection (5), except that the county number must be
24 replaced by a nonremovable design or decal designating the group or organization to which the applicant
25 belongs. Unless otherwise specifically stated in this section, the special plates are subject to the same rules and
26 laws as govern the issuance of regular license plates, must be placed or mounted on a motor vehicle, trailer,
27 semitrailer, or pole trailer owned by the person who is eligible to receive them, with the registration decal affixed
28 to the rear license plate of the motor vehicle, trailer, semitrailer, or pole trailer, and must be removed upon sale
29 or other disposition of the motor vehicle, trailer, semitrailer, or pole trailer.

30 (9) (a) A Montana resident who is eligible to receive a special parking permit under 49-4-301 may, upon

1 written application on a form prescribed by the department, be issued a special license plate with a design or
2 decal bearing a representation of a wheelchair as the symbol of a person with a disability.

3 (b) If the motor vehicle to which the license plate is attached is permanently registered, the owner of the
4 motor vehicle shall provide, upon request of a person authorized to enforce special parking laws or ordinances
5 in this or any state, evidence of continued eligibility to use the license plate in the form of a valid special parking
6 permit issued to or renewed by the vehicle owner under 49-4-304 and 49-4-305.

7 (c) A person with a permanent condition, as provided in 49-4-301(2)(b), who has been issued a special
8 license plate upon written application, as provided in this subsection (9), is not required to reapply upon
9 reregistration of the motor vehicle.

10 (10) The provisions of this section do not apply to a motor vehicle, trailer, semitrailer, or pole trailer that
11 is registered as part of a fleet, as defined in 61-3-712, and that is subject to the provisions of 61-3-711 through
12 61-3-733."

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14 **Section 2.** Section 61-3-479, MCA, is amended to read:

15 **"61-3-479. Issuance of generic specialty license plates -- qualifications.** (1) (a) Except as provided
16 in subsection (1)(b), the department shall issue a set of generic specialty license plates to a person who applies
17 for a particular style of generic specialty license plates and pays the donation fee established by the plate sponsor
18 and the administrative fee required in 61-3-480.

19 (b) If the sponsor of a generic specialty license plate is not listed on the county collection report published
20 by the state and required under 15-1-504 as of the initial distribution date for the sale of the sponsor's plates, the
21 department shall require the sponsor to collect the initial donation fee from, and issue a special certificate of
22 registration to, a person who is eligible to receive the sponsor's generic specialty license plates. The person shall
23 present the special certificate of registration upon application for the generic specialty license plates.

24 (2) A set of generic specialty license plates may be issued for any motor vehicle except ~~a trailer of any~~
25 ~~size 2,000 pounds or less gross vehicle weight,~~ a motorcycle, or a quadricycle.

26 (3) (a) Except as provided in 61-3-472 through 61-3-481 and 61-3-562, a person who receives generic
27 specialty license plates is subject to the same rules and laws as those that govern standard license plates.

28 (b) Except as provided in 61-3-472 through 61-3-481 and 61-3-562, the department is subject to the
29 same rules and laws that govern the issuance of standard license plates.

30 (c) Generic specialty license plates issued under 61-3-472 through 61-3-481 are not subject to any

1 maximum issuance or use limitation that may be imposed on standard license plates.

2 (4) A person may combine an application for a generic specialty license plate with an application for a
3 license plate with a design bearing a representation of a wheelchair as the symbol of a person with a disability
4 as provided in 61-3-332(9)."

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6 **Section 3.** Section 61-3-481, MCA, is amended to read:

7 **"61-3-481. Generic specialty license plates -- restrictions on use.** (1) Generic specialty license plates
8 may be issued by the department in conjunction with the registration of any motor vehicle except ~~a trailer of any~~
9 ~~size 2,000 pounds or less gross vehicle weight~~, a motorcycle; or a quadricycle. The department may not issue
10 generic specialty license plates without the motor vehicle having been registered.

11 (2) Generic specialty license plates may be used only as the official license plates for a motor vehicle."

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13 **Section 4.** Section 61-3-562, MCA, is amended to read:

14 **"61-3-562. Permanent registration -- transfer of light vehicle ownership -- rules.** (1) (a) ~~Except as~~
15 ~~provided in subsection (1)(b), the~~ The owner of a light vehicle 11 years old or older subject to the registration fee,
16 as provided in 61-3-321(2), may permanently register the light vehicle upon payment of a \$87.50 registration fee,
17 the applicable registration and license fees under 61-3-412, IF APPLICABLE, THE ADMINISTRATIVE FEE AND THE
18 ANNUAL ONE-TIME ONLY DONATION FEE FOR A GENERIC SPECIALTY LICENSE PLATE UNDER 61-3-480, and an amount
19 equal to five times the applicable fees imposed for each of the following:

20 (i) the local option motor vehicle tax or flat fee on vehicles under 61-3-537; and

21 (ii) if applicable, renewal fees for personalized plates under 61-3-406.

22 (b) The following series of license plates may ~~not~~ NOT be used for purposes of permanent registration
23 of a light vehicle:

24 (i) Montana national guard license plates issued under 61-3-458(2)(b);

25 (ii) reserve armed forces license plates issued under 61-3-458(2)(c);

26 (iii) amateur radio operator license plates issued under 61-3-422; AND

27 (iv) collegiate license plates issued under 61-3-465; ~~and~~

28 ~~(v) generic specialty license plates issued under 61-3-479.~~

29 (2) In addition to the fees described in subsection (1), an owner of a truck with a manufacturer's rated
30 capacity of 1 ton or less that is permanently registered shall pay five times the applicable fees imposed under

1 61-10-201.

2 (3) The owner of a motor vehicle that is permanently registered under this section is not subject to
3 additional registration fees or to other motor vehicle registration fees described in this section for as long as the
4 owner owns the vehicle.

5 (4) The county treasurer shall once each month remit to the state the amounts collected under this
6 section, other than the local option motor vehicle tax or flat fee, for the purposes of 61-3-321(2) and 61-10-201.
7 The county treasurer shall retain the local option motor vehicle tax or flat fee.

8 (5) (a) The permanent registration of a light vehicle allowed by this section may not be transferred to a
9 new owner. If the light vehicle is transferred to a new owner, the department shall cancel the light vehicle's
10 permanent registration.

11 (b) Upon transfer of a light vehicle registered under this section to a new owner, the new owner shall
12 apply for a certificate of title under 61-3-201 and 61-3-216 and register the light vehicle under 61-3-303."
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14 NEW SECTION. SECTION 5. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE JANUARY 1, 2008.

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16 NEW SECTION. SECTION 6. APPLICABILITY. [THIS ACT] APPLIES TO MOTOR VEHICLES AND TRAILERS
17 REGISTERED, AND LICENSE PLATES THAT ARE ISSUED OR RENEWED, ON OR AFTER [THE EFFECTIVE DATE OF THIS ACT].
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